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**Attorneys for Plaintiffs**

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

DLJ MORTGAGE CAPITAL, INC. and :  
CREDIT SUISSE FIRST BOSTON :  
MORTGAGE CAPITAL, LLC, : Case No. 07-CV-10318 (JFK)

Plaintiffs, :

– against – :

**DISMISSAL WITH PREJUDICE**

ACT LENDING CORPORATION d/b/a :  
AMERICAN CAPITAL MORTGAGE :  
SERVICES, AMERICAN CAPITAL :  
TRUST, and NELSON HAWS, :

Defendants. :

Plaintiffs DLJ Mortgage Capital, Inc. ("DLJMC") and Credit Suisse First Boston Mortgage Capital, LLC ("CSFBMC") hereby dismiss their Complaint against Defendant Nelson Haws, with prejudice, and before the filing by such Defendant of an Answer or any other pleading. Each party shall be responsible for their own fees and costs.

FLAMM, BOROFF & BACINE, P.C.  
Attorneys for Plaintiffs DLJ Mortgage Capital,  
Inc. and Credit Suisse First Boston Mortgage  
Capital, LLC

By:

  
Robert A. Pinel, Esq.

Dated: May 15, 2008